

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RECOVERY EFFORT INC.,

Plaintiff,

-against-

ZEICHNER ELLMAN & KRAUSE LLP,
WACHTEL MISSRY LLP, YOAV M. GRIVER,
and WILLIAM B. WACHTEL,

Defendants.

19 Civ. 5641 (VSB)

**DECLARATION OF EDWARD M. SPIRO IN SUPPORT OF DEFENDANTS
WACHTEL MISSRY LLP AND WILLIAM B. WACHTEL'S MOTION TO DISMISS**

I, Edward M. Spiro, declare as follows:

1. I am a member of the Bar of this Court and a principal of Morvillo Abramowitz Grand Iason & Anello P.C., counsel for defendants Wachtel Missry LLP and William B. Wachtel ("the Wachtel Defendants") in this action. I submit this declaration in support of the Wachtel Defendants' Motion to Dismiss. I have personal knowledge of all facts stated in this declaration, and if called to testify, I could and would testify competently thereto.

2. Attached hereto as Exhibit A is a true and correct copy of the summons and verified complaint filed on July 9, 2009 in *Orly Genger v. Dalia Genger, Sagi Genger, D & K GP LLC, & TPR Investment Associates, Inc.*, Index No. 109749/2009 (Sup. Ct. N.Y. Co.).

3. Attached hereto as Exhibit B is a true and correct copy of the summons and verified complaint (without exhibits) filed on July 26, 2010 in *Arie Genger & Orly Genger v. Sagi Genger & TPR Investment Associates, Inc.*, Index No. 651089/2010 (Sup. Ct. N.Y. Co., Dkt. No.1).

4. Attached hereto as Exhibit C is a true and correct copy of the Affidavit of Dalia Genger, Trustee, sworn to and filed on June 26, 2013 in *Arie Genger & Orly Genger v. Sagi Genger, et al.*, Index No. 651089/2010 (Sup. Ct. N.Y. Co., Dkt. No. 483).

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 30th day of March, 2020.

/s/ Edward M. Spiro

Edward M. Spiro